

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

IN THE MATTER OF THE APPLICATION OF THE) Misc. No.: 2:23-cr-00587
UNITED STATES OF AMERICA FOR THE SEARCH)
OF FOR SEARCH WARRANTS AND SEIZURE)
WARRANTS AS MORE PARTICULARY)
DESCRIBED IN THE AFFIDAVIT BY HSI SPECIAL)
AGENT VICTOR GOMEZ DATED JULY 25, 2023)

MOTION TO SEAL

The United States of America, by and through its undersigned Assistant United States Attorney, hereby moves this Court to seal the affidavit in support of the search warrant and the attachments thereto, as well as the return to the warrant identifying any evidence seized. The Court has the inherent authority to seal these documents. *See Baltimore Sun v. Goetz*, 886 F. 2d 60 (4th Cir. 1988). The purpose of the Government’s request is to protect the information contained within these documents and to avoid the disclosure of the investigation at this time. The investigation is ongoing and revealing the information in this matter may alert potential targets, witnesses, and cooperating individuals as to its scope and intent.

Therefore, based on the facts in the affidavit, there is reason to believe that disclosure of the information in these documents would seriously jeopardize the investigation including by giving targets the opportunity to destroy or tamper with evidence, change patterns of behavior, flee from prosecution, intimidate cooperating and potential witnesses, and endanger the safety of law enforcement and other individuals. For these reasons, the Government submits that the interests in sealing the affidavit and attachments thereto and the return outweigh the common-law public right of access and that sealing is “essential to preserve higher values.” *See Media Gen. Operations, Inc. v. Buchanan*, 417 F.3d 424, 429-31 (4th Cir. 2005). The Government further submits that, by sealing only the affidavit in support of the search warrant, attachments thereto, and the return while

providing public access to the search warrant, the application in support of the search warrant, the motion to seal and the sealing order, the denial of access is narrowly tailored to serve the Government's interests in sealing. *Id.* at 429.

Based on the foregoing, the Government requests that the affidavit in support of the search warrant and attachments thereto, as well as the return, be filed under seal except that working copies should be made available to the United States Attorney's Office, the Homeland Security Investigations and IRS-CI, and any other law enforcement agency designated by the United States Attorney's Office.

Respectfully Submitted,

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